



Contract By Authorized Board

Commodity or Service: Federal Tax Counsel to the State of Wisconsin
Employee Trust Funds Board for the Wisconsin
Retirement Systems and related programs

Request for Bid/Proposal No: ETI0009

Authorized Board: Employee Trust Funds
Board

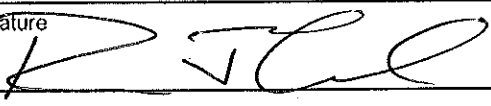

Contract Period: 07/01/2010 through 06/30/2011 with an option to extend the contract for four (4) additional one-year periods subject to the satisfactory negotiation of terms acceptable to the Department and named firm.

1. This contract is entered into by and between the State of Wisconsin, Department of Employee Trust Funds (Department), the State of Wisconsin Employee Trust Funds Board (Board), and the contractor whose name, address, and principal officer appears on page 2. The Department is the sole point of contract for Board contracting;
2. Whereby the Department of Employee Trust Funds agrees to direct the purchase and the contractor agrees to supply the contract requirements cited above in accordance with the terms and conditions of the request for bid cited above, and in accordance with the contractor's bid submitted on this request for bid which request for bid is hereby made a part of this contract;
3. In connection with the performance of work under this contract, the contractor agrees not to discriminate against any employees or applicant for employment because of age, race, religion, color, handicap, sex, physical condition, developmental disability as defined in s.51.01(5), Wis. Stats., sexual orientation as defined in s.111.32(13m), Wis. Stats., or national origin. This provision shall include, but not be limited to, the following: employment, upgrading, demotion or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. Except with respect to sexual orientation, the contractor further agrees to take affirmative action to ensure equal employment opportunities. The contractor agrees to post in conspicuous places, available for employees and applicants for employment, notices to be provided by the contracting officer setting forth the provisions of the nondiscrimination clause.
4. Contracts estimated to be over twenty-five thousand dollars (\$25,000) require the submission of a written affirmative action plan. Contractors with an annual work force of less than twenty-five (25) employees are exempted from this requirement.

Within fifteen (15) working days after the award of the contract, the plan shall be submitted for approval to the Department. Technical assistance regarding this clause is provided by the Purchasing Agent, Department of Employee Trust Funds, P.O. Box 7931, Madison, WI 53707-7931, (608) 266-8989, mark.blank@elf.state.wi.us.

5. For purposes of administering the contract, the Order of Precedence is: the official purchase order; this contract; Amendment -1 dated 06/02/2009 with Ice Miller LLP; Letter dated 05/11/2009 from Ice Miller LLP; State's revisions, addendum, and supplements to RFP; RFP issued 01/22/2009 the Standard terms and conditions; and Contractor's response to the RFP
6. Extend contract for additional year 07/01/10 thru 06/30/30/11. Contract Amendments – 2 and 3 dated 06/29, 2010 Exhibit 1 Dated 07/01/10.

**Contract Number & Service: ETI0009 Federal Tax Counsel to
the State of Wisconsin Employee Trust Funds Board for the
Wisconsin Retirement Systems and related programs**

State of Wisconsin Department of Employee Trust Funds
By Authorized Board (Name) Employee Trust Funds Board
By (Name) Robert J. Conlin
Signature 
Title Deputy Secretary, Department of Employee Trust Funds
Phone 608-261-7940 bob.conlin@etf.state.wi.us
Date (MM/DD/CCYY) 7/15/2010
Witness (1): 
Witness (2): Cindy D. Lillis



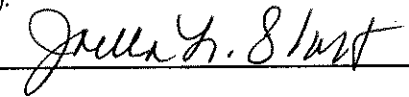
To be Completed by Contractor
Legal Company Name Ice Miller LLP
Trade Name
Taxpayer Identification Number 35-0874357
Company Address (City, State, Zip) ONE American Sq, 29th FL. INDCUS IN 46282
By (Name) MARY BETH BRATMAN
Signature 
Title PARTNER
Phone (317) 236-2413
Date (MM/DD/CCYY) 07/ /2010
Witness (1): 
Witness (2): 

EXHIBIT A

Attorney	Current 2010 Standard Hourly Rate	2010 10% Discount
Mary Beth Braitman, Partner	\$530.00	\$477.00
Craig Burke, Partner	\$420.00	\$378.00
Katrina M. Clingerman, Partner	\$360.00	\$324.00
Sarah Funke, Partner	\$405.00	\$364.50
Terry A.M. Mumford, Partner	\$530.00	\$477.00
Melissa Reese, Partner	\$505.00	\$454.50
Marc Sciscoe, Partner	\$480.00	\$432.00
Tara Sciscoe, Partner	\$390.00	\$351.00
Chris Sears, Partner	\$405.00	\$364.50
Eric Dawes, Actuary	\$420.00	\$378.00
Chris Fowler, Sr. Counsel	\$360.00	\$324.00
Rebecca Szczepanski, Sr. Counsel	\$325.00	\$292.50
Richard Ciambrone, Of Counsel	\$325.00	\$292.50
Lisa Erb Harrison, Of Counsel	\$345.00	\$310.50
Albert Lee, Of Counsel	\$325.00	\$292.50
Michele Rivas, Of Counsel	\$290.00	\$261.00
Shalina Schaefer, Associate	\$220.00	\$198.00
Nancy Germano, Paralegal	\$250.00	\$225.00
Jennifer Lucas, Paralegal	\$240.00	\$216.00
Libby Moran, Paralegal	\$250.00	\$225.00
Taretta Shine, Paralegal	\$250.00	\$225.00
Shari White, Paralegal	\$220.00	\$198.00
Greg Wolf, Paralegal	\$240.00	\$216.00

Note: The standard hourly rates for these personnel are subject to change from time to time.

July 8, 2010

ETI0009 ADDENDUM 2

JULY 1, 2010

DETAILED TIMETABLE OF COMPLIANCE PROJECTS (DOCUMENT AND OPERATIONAL COMPLIANCE)

1. Plan Document Compliance and Cycle E Filing

- a. Complete the Cycle E checklist and identify amendments that are needed for federal law compliance –
 - Ice Miller will prepare drafts of this for ETF Review.
- b. Complete the Cycle E filing.
 - ETF and IM will complete this prior to November 15.

2. Compliance with Internal Revenue Code Section 415

- a. Research prior legal analysis and prepare Retrospective Analysis – Final Draft Completed April 15, 2010 and included in May 28, 2010 Notebook. Needs to be finalized (August)
- b. Prepare a matrix of contributions and testing protocol – Final Draft completed April 15, 2010 and included in May 28, 2010 Notebook
- c. Prepare a compliance report for Prospective Testing Protocols – Final Draft Completed May 26, 2010 and included in May 28, 2010 Notebook. Needs to be finalized (August)
- d. Finalize 415 approach – Decision made to proceed with 415(b) approach prospectively (Process to be established by August 1, 2010.)
- e. Consultation with the IRS –
- f. Determine if a voluntary compliance (VCP) filing is needed – Based upon work by ETF and Dawes, VCP would be appropriate to adopt the TAMRA election and to address 415 language. Sample VCP was distributed at June 11, 2010 meeting. IM provided summary of VCP approach.
- g. Finalize 415 language – The 415 approach for the future will be finalized as part of the plan document compliance project discussed in Item 1 above.
- h. Communications – IM will assist in the communication and outreach efforts

3. 401(a)(17) Compliance

- a. Provide briefing document on compliance – Final report completed and presented on May 28, 2010.

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JULY 1, 2010

DETAILED TIMETABLE OF COMPLIANCE PROJECTS (DOCUMENT AND OPERATIONAL COMPLIANCE)

b. Staff review – (July)

- Staff will use compliance methodology from final report and identify compliance issues

c. Plan language: Any needed plan language will be covered by the plan language project (#1).

d. Determine if a voluntary compliance (VCP) filing is needed (August).

4. Rollovers Compliance (Code Section 401(a)(31))

Issues may arise out of plan language compliance project.

a. Staff compliance questions –ETF staff has questions regarding notices, non-spouse rollovers, and Roth rollovers. Based upon the questions that are posed, IM will provide a set of answers for use in future compliance.

- IM will provide rollover notice and matrix for rollovers (July).

b. Corrections – as necessary.

5. Dormant Accounts (Code Section 401(a)(9))

- On hold till September.

6. 403(b) Compliance

On hold till 2011 because of stalling in federal regulations

7. Taxation and Reporting – 1099-Rs

An overall review of this area will be held until 2011. However, certain ETF staff questions will be addressed in 2010 as noted below.

a. Respond to questions regarding \$3000 exclusion - 2010

b. Line of duty disability taxation rules - 2010

c. Determine basis recovery approach - 2011

d. 1099-R coding – 2011

ETI0009 ADDENDUM 2

JULY 1, 2010

DETAILED TIMETABLE OF COMPLIANCE PROJECTS
(DOCUMENT AND OPERATIONAL COMPLIANCE)

8. Participation Issues

Based upon pending guidance projects, guidance regarding participation issues may be delayed until 2011.

Addendum 3 ETI0009

July 1, 2010

ETF – Timeline for VCP and Cycle E Filing 2010

1Action	Timetable
ETF makes decision to proceed with VCP and Determination Letter Filing in Cycle E	✓ June 16, 2010
ETF and IM (Dawes) work on 415 compliance targets	Target – End of June
Executive Secretary gives Board "heads-up" with regard to filing – presentation to be at September Board meeting	June Board Meeting (6/24)
IM prepares Revised 415 Testing Protocols, including service purchase protocols	Target – Mid July
ETF prepares list of 401(a)(17) compliance targets for review	Target – Mid July
IM sends draft checklists and all amendments for VCP and Cycle E filing	Target - July 16, 2010
IM provides rollover notice and matrix for rollovers	Target – August 2010
IM and ETF participate in review session of checklists and amendments	Target – Week of August 16, 2010 (after NASRA)
IM prepares <ul style="list-style-type: none">➤ Final draft of VCP and Cycle E filing➤ Summary for Board meeting, including changes in statutes and regulations, cost, impact on members	Target – Week of August 30
Board considers VCP and Cycle E filing	September Board Meeting (9/16)
Dormant Account Analysis	Target – October 2010
Legislation is drafted	Target – October-November
VCP and Cycle E are filed with IRS	Target – Week of November 15